

FILED
JOHN P. HEHMAN
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

2014 OCT 16 AM 10:34

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EASTERN DIVISION
COLUMBUS

FILED UNDER SEAL

UNITED STATES OF AMERICA

vs.

:

NO. **2:14 cr 214**
JUDGE **JUDGE WATSON**

BYRAN D. LEE

GOVERNMENT'S PLEA AGREEMENT SUBMISSION
OF ELEMENTS AND PENALTIES FOR
18 U.S.C. § 242 and 18 U.S.C. § 2261A(2)

1. ELEMENTS: 18 U.S.C. § 242
(MISDEMEANOR COUNTS 1 -4)

- First: That the defendant acted under the color of law when he committed the acts charged in the Information;
- Second: That the defendant deprived four known victims of their due process right to bodily integrity and/or the right to be free from unreasonable searches and seizures, which are rights secured by the Constitution and laws of the United States;
- Third: The defendant acted willfully, that is, the defendant acted with bad purpose, intending to deprive each victim of these rights secured by the constitution or laws of the United States;
- Fourth: That the acts occurred on or about the date alleged in the Information in the Southern District of Ohio.

2. PENALTIES

- A. Mandatory Minimum: None.
- B. Possible Maximum: One year in prison per count, a fine of \$100,000.00 per count, a one-year term of supervised release per count, and a \$25 special assessment per count.

3. ELEMENTS: 18 U.S.C. § 2261A(2)
(COUNT 5)

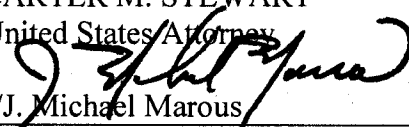
- First: That the defendant used the mail, an interactive computer service or electronic communication service or electronic communication service of interstate commerce to engage in a course of conduct;
- Second: The course of conduct placed another person in reasonable fear of death or serious bodily injury, or caused, attempted to cause, or would reasonably expect to cause substantial emotional distress to the person;
- Third: The defendant acted with intent to injure, harass, intimidate, or place under surveillance with the intent to injure, harass, or intimidate another person;
- Fourth: That the act occurred on or about the date alleged in the Information in the Southern District of Ohio.

4. PENALTIES

- A. Mandatory Minimum: None.
- B. Possible Maximum: Five years in prison, a fine of \$250,000.00, a three-year term of supervised release, and a \$100 special assessment.

Respectfully submitted,

CARTER M. STEWART
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